



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

LLOYD CHARLES TRENT, III,
Plaintiff,

vs.

DEPUTY MENDES; DEPUTY HOGSED;
RR BRINK LOCKING SYSTEMS, INC.; and
JANE DOE FROM MEDICAL,
Defendant.

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Civil Action No. 8:19-0049-MGL

ORDER ADOPTING THE REPORTS AND RECOMMENDATIONS

This action arises under 42 U.S.C. § 1983. Plaintiff Lloyd Charles Trent, III (Trent) is proceeding pro se. The matter is before the Court for review of two Reports and Recommendations (Reports) of the United States Magistrate Judge suggesting Defendant RR Brink Locking Systems, Inc. (Brink) be summarily dismissed from the action without the issuance and service of process and Defendants' Deputy Mendes and Deputy Hogsed (Moving Defendants) motion to dismiss be granted. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court

may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the first Report on January 14, 2019, ECF No. 9, but Trent failed to file any objection to the first Report. The Magistrate Judge filed the second Report on February 12, 2019, ECF No. 21, and again Trent failed to file any objection to the second Report. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note). Moreover, a failure to object waives appellate review. *Wright v. Collins*, 766 F.2d 841, 845-46 (4th Cir. 1985).

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court adopts the Report and incorporates it herein. Therefore, it is the judgment of the Court Brink is **DISMISSED** from this action **WITHOUT PREJUDICE** and without the issuance and service of process and the Moving Defendants’ motion to dismiss is **GRANTED**.

IT IS SO ORDERED.

Signed this 25th day of June 2019 in Columbia, South Carolina.

s/ Mary Geiger Lewis
MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.